

January 2016

## Table of Contents

DePaul College of Law

Follow this and additional works at: <https://via.library.depaul.edu/jsj>

---

### Recommended Citation

DePaul College of Law, *Table of Contents*, 5 DePaul J. for Soc. Just. (2011)

Available at: <https://via.library.depaul.edu/jsj/vol5/iss1/1>

This Front Matter is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Journal for Social Justice by an authorized editor of Via Sapientiae. For more information, please contact [digitalservices@depaul.edu](mailto:digitalservices@depaul.edu).

DePaul Journal for Social Justice		
Volume 5	Fall 2011	Number 1

## CONTENTS

AN APPEAL TO OUR READERS: JUSTICE FOR REYNOLDS WINTERSMITH ..... <i>Journal for Social Justice</i> 1 <i>Editorial Board</i>		
PRESERVING THE INTEGRITY OF THE COURT AGAINST MORAL DEFILEMENT: <i>PEOPLE V. WRICE</i> AND THE QUESTION OF WHETHER THE USE OF A PHYSICALLY COERCED CONFESSION CAN CONSTITUTE HARMLESS ERROR – LESSONS OF WISDOM FROM INTERNATIONAL LAW ..... <i>Steven W. Becker</i> 3		
SECOND CHANCE: ESTABLISHING A REENTRY PROGRAM IN THE NORTHERN DISTRICT OF ILLINOIS ..... <i>Hon. Joan Gottschall</i> 31 <i>and Molly Armour</i>		
CLASSIFICATION OF HOMOSEXUALS UNDER THE EQUAL PROTECTION CLAUSE: FORWARD-LOOKING DISPARATE IMPACT TEST ..... <i>A. Nicole Kwapisz</i> 71		
EMERGENCY CONTRACEPTION IN THE EMERGENCY ROOM: “EC IN THE ER” ANALYSIS AND RECOMMENDATIONS ..... <i>Joelle Emerson</i> 129		

The *DePaul Journal for Social Justice* (ISSN 2151-3090) promotes discussion of policy issues, encourages submissions of interdisciplinary work and expands student opportunities for learning. The discussions offer legal professionals, practitioners, community-based leaders, academics and students, the opportunity to voice their concerns, share their unique experiences, offer radical viewpoints and propose solutions. These Journal articles reflect the experiences of the authors and the thought-provoking commentaries inspire readers. The Journal explores alternative publication formats and expands content options to broaden access and better engage readers.

The *DePaul Journal for Social Justice* welcomes the submission of articles written by admitted practitioners and other professionals, students and academics at universities. Submissions for publication in the *DePaul Journal for Social Justice* are accepted on a rolling basis through Espresso, <http://law.bepress.com/expresso/>. The editorial board, on recommendation of peer reviewers and with the advice of the Journal membership, selects content by majority vote.

Manuscripts submitted for publication in the *DePaul Journal for Social Justice* must be typed and double spaced with footnotes appended to the main body of the article. Send manuscripts to the editorial offices at 25 E. Jackson Boulevard, Chicago, Illinois 60604-2287.

Citations must conform to *The Bluebook: A Uniform System of Citation* (Columbia Law Review Ass'n et al. eds. 18th ed. 2005).

Although the *DePaul Journal for Social Justice* gives great deference to an author's work, the Journal retains the right to determine the final published form of all articles.

The opinions expressed in the articles are those of the various authors. Except as otherwise provided, *DePaul Journal for Social Justice* permits any individual or organization to photocopy any article or other piece in this publication, provided that: (1) copies are distributed at or below cost; (2) the author and Journal are prominently identified on the first page; (3) proper notice of copyright is affixed to each copy; and (4) all other applicable laws and regulations are followed. *DePaul Journal for Social Justice* reserves all other rights. Cite as 4 DePaul J. for Soc. Just.

*DePaul Journal for Social Justice* is a biannual publication created with support by DePaul University College of Law and the Center for Public Interest Law, 25 E. Jackson Boulevard, Chicago, Illinois 60604-2287. POSTMASTER: send change of address notice to *DePaul Journal for Social Justice*, 25 East Jackson Boulevard, Chicago, Illinois, 60604-2287. Journal subscriptions are \$30 for the general legal community and \$15 for students, public interest attorneys and 501 (c) (3) organizations.

This issue of the DePaul Journal for Social Justice is dedicated to the late Debra Evenson, a courageous advocate for human rights and a renowned expert in the Cuban legal system. Debra Evenson was an Associate Professor of Law at the DePaul University College of Law from 1980 to 1992 and served as President of the National Lawyers Guild from 1988 to 1991. She will be remembered for her steadfast solidarity with struggles for social change in Latin America and around the world.

---

We also note the passing of Derrick Bell, a visionary legal scholar and a pioneer of Critical Race Theory. Our work will be forever informed by his brave challenge to the legal academy and his trenchant critique of mainstream civil rights discourse.



DePaul Journal for Social Justice

---

Volume 5

Fall 2011

Number 1

---

**EDITORIAL BOARD**

ANGELA KALSI  
*Editor-in-Chief*

BRIDGET OWENS  
*Business Editor*

ADRIAN BLEIFUSS PRADOS  
*Acquisitions Editor*

DANIELLE R. CRUMB  
*Article Selection Editor*

EMILY NASER-HALL  
*Articles Editor*

SHARI SPROSTA LINDSEY  
*Citation Editor*

**RESEARCH STAFF**

NOUR BAHRANI  
BRANDON BASEMAN  
LEAH M. FARMER  
SAMUEL W. GIERYN  
ERIN D. GROTHEER

KALYN HILL  
MICHAEL G. IBRAHIM  
MADELYN KING  
ERIN LAVERY  
STEFANI SILBERSTEIN

**FACULTY AND STAFF ADVISORY BOARD**

LEONARD CAVISE  
SUSAN COMPERNOLLE  
GEOFFREY HEEREN

TOM JUDGE  
GIL LENZ  
WAYNE LEWIS  
SHAYE LOUGHLIN

ALLISON ORTLIEB  
MARTHA PAGLIARI  
MICHAEL WILSON

*\*We would also like to thank the members of our peer review board*

## DEPAUL UNIVERSITY COLLEGE OF LAW

### General Administration

Rev. Dennis H. Holtschneider, C.M., Ed.D., President  
Rev. John T. Richardson, C.M., S.T.D., Chancellor  
Helmut P. Epp, Ph.D., Provost  
Robert L. Kozoman, C.P.A., Executive Vice President  
Rev. Edward R. Udovic, C.M., Ph.D., Secretary of the University  
Jeff Bethke, Treasurer  
J.D. Bindenagel, Vice President for Community, Government and International Affairs  
Jay Braatz, Ed.D., Senior Executive for Planning and Presidential Operations  
James R. Doyle, Vice President for Student Affairs  
Mary C. Finger, Senior Vice President for Advancement  
Mark Hawkins, Controller  
Bonnie Frankel, C.P.A., Vice President for Finance  
Robert Janis, Vice President for Facilities Operations  
David H. Kalsbeek, Ph.D., Senior Vice President for Enrollment Management and Marketing  
David Lively, Vice President for Development  
Patricia O'Donoghue, Vice President for Alumni Outreach and Engagement  
Elizabeth F. Ortiz, Ed.D., Vice President for Institutional Diversity and Equity  
José D. Padilla, J.D., Vice President and General Counsel  
William Seithel, M.S., Vice President for Human Resources  
Rev. Edward R. Udovic, C.M., Ph.D., Vice President for Teaching and Learning Resources and Senior Executive for University Mission

### College of Law Administration

Gregory Mark, *Dean*  
David L. Franklin, *Vice Dean*  
Steven Greenberger, *Associate Dean of Faculty*  
Brian F. Havel, *Associate Dean for Administrations; Director, International Aviation Law Institute*  
Andrea D. Lyon, *Associate Dean for Clinical Programs; Director, Center for Justice in Capital Cases*  
Howard M. Rubin, *Associate Dean for Lawyering Skills; Director, Field Placement Program; Interim Executive Director, International Human Rights Law Institute*  
Michael S. Burns, *Associate Dean for Enrollment Management and Director of Law Admission*  
Elizabeth Ellis, *Assistant Dean and Director of Law Career Services*  
Diana C. White, *Assistant Dean for Student Affairs*  
Leigh Georgell, *Business Manager*  
David Bell, *Assistant Business Manager*  
Deborah Howard, *Assistant Dean for Marketing and Communications*  
Camille A. Licklider, *Assistant Dean, Alumni Relations and Development*  
Shelley Weinberg, *Director, Academic Support Program*  
Benjamin E. Alba, *Director, Bar Passage Program*  
Sioban Albiol, *Director, Asylum and Immigration Law Clinic*  
M. Cherif Bassiouni, *President Emeritus, International Human Rights Law Institute*  
Barbara B. Bressler, *Director, Center for Intellectual Property Law & Information Technology; Supervisor, Technology/Intellectual Property Legal Clinic; Deputy Director, Field Placement Program*  
Leonard L. Cavise, *Director, Center for Public Interest Law; Director, Chiapas Human Rights Practicum*  
Alberto R. Coll, *Director, European and Latin American Legal Studies Program; Director, International Law LL.M. Program*  
Katheryn M. Dutenhaver, *Director, Center for Dispute Resolution*  
Jerold Friedland, *Director, Asian Legal Studies Program; Director, Vienna University of Economics Exchange Program*  
Patty Gerstenblith, *Director, Center for Art, Museum, and Cultural Heritage Law*  
Barbara Hausman, *Executive Director, Schiller DuCanto & Fleck Family Law Center*  
Michael S. Jacobs, *Co-Director, International Aviation Law Institute*  
Barry Kellman, *Director, International Weapons Control Center*  
Terrence F. Kiely, *Director, Center for Law and Science*  
Robert R. Kwall, *Founding Director, Center for Intellectual Property Law & Information Technology; Co-Director, Center for Jewish Law and Judaic Studies*  
Margit Livingston, *Co-Director, Center for Animal Law*  
Craig Mousin, *Co-Director, Louise Project for Social Justice*

Allen Moye, *Director, Vincent G. Rinn Law Library*  
 Bruce L. Ottley, *Director, DePaul University/University College Dublin Cooperative Program;*  
*Co-Director, International Aviation Law Institute*  
 Jane Rutherford, *Director, Schiller DuCanto & Fleck Family Law Center*  
 Susan Thrower, *Director, Legal Analysis, Research & Communication*

## College of Law Faculty

Benjamin Alba	Director of Bar Passage Program B.S., DePaul University; J.D., Loyola University (Chicago)
Sioban Albiol	Clinical Professor B.A., University of Texas (Austin); J.D., Loyola University Chicago
Philip Ashley	Associate Professor B.A. Rockford College; J.D., Tulsa University; LL.M., (Taxation) New York University
M. Cherif Bassiouni	Professor President Emeritus, International Human Rights Law Institute J.D., Indiana University; LL.B. University of Cairo; LL.M., John Marshall Law School; S.J.D., George Washington University; LL.D., H.C., University of Torino (Italy), University of Pau (France), Niagara University (U.S.A.) and National University of Ireland, Galway (Ireland)
Mary Becker	Professor of Law B.A., Loyola University Chicago; J.D., University of Chicago
Mary Ann Becker	Legal Writing Instructor B.A., Northwestern University; J.D., DePaul University
Barbara B. Bressler	Clinical Associate Professor Director, Center for Intellectual Property Law & Information Technology Supervisor, Technology/Intellectual Property Legal Clinic Deputy Director, Field Placement Program B.S., University of Minnesota; J.D., DePaul University
Jacob M. Carpenter	Legal Writing Instructor B.S., DePaul University; J.D., Mercer University School of Law
Leonard Cavise	Professor Director, Center for Public Interest Law Director, Chiapas Human Rights Practicum B.A., Hamilton College; J.D., Georgetown
Sumi Cho	Professor B.A., J.D., Ph.D. University of California at Berkeley
Alberto R. Coll	Professor Director, European and Latin American Legal Studies Program Director, International Law LL.M. Program B.A., Princeton University; J.D. and Ph.D., University of Virginia
Michelle Cue	Legal Writing Instructor B.A.; J.D., University of Illinois
John F. Decker	Emeritus Professor B.A., University of Iowa; J.D., Creighton University; LL.M., J.S.D., New York University
Katheryn M. Dutenhaver	Associate Professor Director, Center for Dispute Resolution B.A., North Central College; J.D., DePaul University; M.A. University of Chicago
Christopher Evers	Legal Writing Instructor A.B., Harvard University; J.D. University of Michigan
Freedman L. Farrow	Assistant Professor B.A., Amherst College; M.D., University of Massachusetts; J.D., University of Michigan
David L. Franklin	Associate Professor Vice Dean B.A., Yale College; J.D., University of Chicago
Jerold Friedland	Professor Director, Asian Legal Studies Program Director, Vienna University School of Economics Exchange Program B.A., M.A., New York University; J.D., Brooklyn Law School; LL.M., Georgetown University
Patty Gerstenblith	Distinguished Research Professor Director, Center for Art, Museum, and Cultural Heritage Law A.B., Bryn Mawr College; J.D., Northwestern; Ph.D., Harvard University
Andrew Gold	Professor B.A., Dartmouth College; J.D., Duke University



Steven Greenberger	Associate Professor
Associate Dean of Faculty B.A., University of Illinois; J.D., Yale University	
Raymond Grzebielski	Associate Professor
B.A., J.D. Northwestern University; LL.M., Georgetown University M.B.A., University of Chicago	
Brian Havel	Distinguished Research Professor
Director, International Aviation Law Institute B.C.L., LL.M., Dip. Eur. L., National University of Ireland; B. Mod., M.A., University of Dublin; LL.M., J.S.D. Columbia University; Barrister-at-Law (King's Inns, Dublin)	
Max Helveston	Assistant Professor
B.A., University of Michigan; JD., Yale University	
Donald H.J. Hermann	Professor
Interim Director, Health Law Institute A.B., Stanford University; J.D., Columbia University; LL.M., Harvard University; M.A., Ph.D., Northwestern University; M.A.A.H., School of the Art Institute of Chicago; M.L.A., University of Chicago	
Michael S. Jacobs	Distinguished Research Professor
Co-Director, International Aviation Law Institute B.A., Dartmouth College; J.D., Yale University; M.P.H., John Hopkins University	
Barry Kellman	Professor
Director, International Weapons Control Center International Human Rights Law Institute B.A., University of Chicago; J.D., Yale University	
Terrence F. Kiely	Distinguished Research Professor
Director, Center for Law and Science B.S., Loyola University Chicago; J.D., DePaul University; LL.M., New York University	
Sarah Klaper	Legal Writing Instructor
B.S., Ohio University; J.D., University of Cincinnati	
Sandra Kupelian	Legal Writing Instructor
B.A., Northern Illinois University; J.D., University of Illinois	
Roberta R. Kwall	Professor
Raymond P. Niro Professor of Intellectual Property Law Founding Director, Center for Intellectual Property Law & Information Technology; Co-Director, Center for Jewish Law and Judaic Studies; A.B., Brown University; J.D., University of Pennsylvania	
Stephan Landsman	Professor
Robert A. Clifford Chair in Tort Law and Social Policy B.A., Kenyon College; J.D., Harvard University	
Julie D. Lawton	Assistant Professor
B.S., Florida A&M University; J.D., Howard University; LL.M. Georgetown	
Wayne K. Lewis	Professor
B.A., Rutgers, University; J.D., Cornell University	
Margit Livingston	Professor
Co-Director, Center for Animal Law B.A., Augsburg College; M.A., University of Minnesota; J.D., University of Minnesota; LL.M., University of Illinois	
Andrea D. Lyon	Clinical Professor
Associate Dean for Clinical Programs Director, Center for Justice in Capital Cases Supervisor, Death Penalty Legal Clinic B.A., Rutgers University; J.D., Antioch School of Law	
Jody Marcucci	Legal Writing Instructor
B.A., University of Wisconsin-Madison; J.D., DePaul University	
Gregory Mark	Dean
B.A., Butler University; M.A., Harvard University; J.D., University of Chicago	
Paul S. Miller	Legal Writing Instructor
M.F.A., Temple University; J.D., Fordham University	
Mark Moller	Associate Professor
B.A., Duke University; J.D. University of Chicago; LL.M. University of Cambridge	
Daniel Morales	Assistant Professor
B.A., Williams College; J.D., Yale University	
Allen Moye	Associate Professor

## DePaul College of Law: Table of Contents

Director, Vincent G. Rinn Law Library B.A., Howard University; J.D. University of Richmond; M.L.S. Catholic University	
Marlene Nicholson	Emeritus Professor
B.A., J.D., University of California at Los Angeles	
Allison Ortlieb	Legal Writing Instructor
B.A., University of Chicago; J.D., University of Chicago	
Bruce L. Ottley	Professor
Director, DePaul University/University College Dublin Cooperative Program; B.A., University of Missouri-Kansas City; J.D., M.A., University of Iowa; LL.M., Columbia University	
Martha A. Pagliari	Legal Writing Instructor
Associate Director of the Legal Analysis, Research and Communication B.A. University of Notre Dame; J.D. DePaul University	
Steven H. Resnicoff	Professor
Co-Director, Center for Jewish Law and Judaic Studies B.A., Princeton University; J.D., Yale University; Rabbinic, Beth Medrash Govaha	
John C. Roberts	Professor
Dean Emeritus B.S., Northwestern University; LL.B., Yale University	
Zoë Robinson	Assistant Professor
B. Mus., Queensland Conservatorium of Music, Griffith University; B.A., LL.B., Australian National University; J.D., University of Chicago	
David Rodriguez	Visiting Professor
B.S., University of Illinois; J.D., University of Michigan	
Howard M. Rubin	Associate Professor
Associate Dean for Lawyering Skills Director, Field Placement Program Interim Executive Director, International Human Rights Law Institute B.S., University of Illinois; J.D., DePaul University	
Jane Rutherford	Professor
Director, Shiller DuCanto & Fleck Family Law Center A.B., University of Chicago; J.D., University of Michigan	
Joshua D. Sarnoff	Associate Professor
B.S., Massachusetts Institute of Technology; J.D. Stanford	
Jeffrey M. Shaman	St. Vincent DePaul Professor
B.A., Pennsylvania State University; J.D., University of Southern California; LL.M., Georgetown University	
Stephen Siegel	Distinguished Research Professor
B.A., Columbia University; J.D., LL.M., Harvard University	
Terry Smith	Distinguished Research Professor
B.A., Brown University; J.D., New York University	
Robert Smith	Visiting Professor
B.A., University of California Berkeley; J.D., Harvard University	
William Stuart	Professor
B.A., Stanford University; LL.B., Washington & Lee University	
Jeremy Telman	Visiting Professor
B.A., Columbia University; Ph.D., M.A., Cornell University; J.D., New York University	
Susan Thrower	Associate Professor
Director, Legal Analysis, Research & Communication Program B.A., University of Virginia; J.D., Wake Forest University	
Allison Brownell Tirres	Assistant Professor
B.A., Princeton University; M.A., J.D., Ph.D., Harvard University	
Deborah Tuerkheimer	Professor
B.A., Harvard University; J.D., Yale University	
Vincent Vitullo	Emeritus Professor
A.B., J.D., Loyola University of Chicago; LL.M. Yale University	
Anthony G. Volini	Legal Writing Instructor
B.S., Benedictine University; J.D., Loyola University Chicago	
Mark C. Weber	St. Vincent DePaul Professor
B.A., Columbia University; J.D., Yale University	
Judge Warren D. Wolfson	Distinguished Visiting Professor
B.S. University of Illinois Chicago; LL.B., University of Illinois Urbana Champaign	

## Library Staff

Allen R. Moyer ..... Director  
 B.A., Howard University; J.D., University of Richmond; M.L.S., Catholic  
 Walter Bauman ..... Librarian (Government Documents)  
 B.A., University of Illinois at Chicago; M.L.S., Rosary College  
 Mark Giangrande ..... Librarian (Legal Research Specialist)  
 B.S., Northwestern University; J.D. IIT Chicago-Kent College of Law;  
 M.L.S. University of Texas  
 Denise Glynn ..... Librarian (Head of Cataloguing)  
 B.S., Northern Illinois University; M.L.S., Rosary College  
 Milta Hall ..... Associate Director (Public Services)  
 B.A., Memphis State University; M.A., University of Wisconsin-Madison;  
 M.A., University of Illinois; J.D., DePaul University  
 Mary Lu Linnane ..... Associate Director (Technical Services)  
 B.A., Marquette University; M.L.S., University of Wisconsin-Milwaukee  
 Michael Schiffer ..... Associate Director (Computer Services)  
 B.A., University of Chicago; J.D., University of Michigan; M.L.S., Rosary ..... College  
 Maria Wilmer ..... Librarian (Legal Research Specialist)  
 B.A., University of Michigan; A.M.L.S., University of Michigan

## Adjunct Faculty

David Adler	Thomas Hennelly	Joan Pernecke
Jeff Atkinson	Rachel Hodges-	Lynda Peters
Frederick Ball	Spitsberg	Angela Petrone
Michael Bergmann	Timothy Hoffman	Shelby Prusak
Paul Berks	Colleen Hyland	William Ralph
S. Jan Brakel	Hon. Jack Hynes	Jay Readey
Steven Branstedt	Liliana Kalin	Hon. Ericka Reddick
Hon. Mary M.	Susan L. Kennedy	Elke Rehbock
Broshanan	Cheryl Kettler	Timo Rehbock
Vincent Browne	Brent Kidwell	Trish Rich
Patrick Bruks	Hon. John Kirby	Martin Robins
Shannon Burke	Barry Kozak	Michael Robinson
Hon. Anthony	Kenneth Kraus	Laurie Rosenow
Calabrese	Michael Krzak	Patrick Ryan
Mary Ann Capron	Robert Labate	Alan Salzenstein
Natalie Carlomango	Audrey Lee	Gabriel Sanchez
Christopher Carmichael	Valerie Leopold	Susan Schierl Sullivan
Patrick Cassidy	Lisa Levine	John Schmidt
James Clark	Brian Lewis	Katherine Schostok
Michael Clark	Katy Lewis	Steve Seliger
Brian Collins	Robert Loeb	Helene Shapo
Karen Conti	Mary Rita Luecke	Sam Shim
Susan Cox	Terrence MacCarthy	Joel Simberg
Jules Crystal	Matthew Madden	James Simon
Daniel Cullen	Thomas Mahoney	Julie Simpson
J. Greg Deis	Scott Main	Stanley Sklar
Catherine Diebel	Crystal Marchigiani	James Sowerby
Kelli Dudley	Shannon McFadden	Barry Spector
Colin Dunn	Paul McGrady	Kathryn Starshak
Thomas Durkin	Sibyl Medie	Geraldine Stroka
Maureen Egan	Joey Mogel	Lawrence Swibel
Bradley Erens	Adolfo Mondragon	Michael Tannen
Paul Fine	Michael Morrissey	Jill Tanz
Lawrence Fox	Craig Mousin	Trisha Tesmer
Hon. Daniel Gillespie	Lawrence Mraz	William Theis
Leonard Goodman	Brian Nach	Joseph Thompson
Hailey Guren	Peter Newman	Jennifer Villier
Ellen Gutiontov	Jennifer Niemec Dunn	Elizabeth Vistine
Susan Haddad	John Nisivaco	Torrick Ward
Miriam Hallbauer	Kevin Noonan	Laura Weiler
Maria Harrigan	John Paniaguas	Allison Wood
John Hayes	Deborah Pergament	